

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SEP - 8 2006

DAVID J. MALAND, CLERK  
BY  
DEPUTY \_\_\_\_\_  
Case No. 4:06cr140  
(Judge Schell)

On June 13, 2006, the Probation Officer filed a Petition for Warrant or Summons for Offender Under Supervision. The petition asserted that Defendant violated the following conditions: (1) Defendant shall not commit another federal, state, or local crime; (2) Defendant shall report to the probation officer and shall

submit a truthful and complete written report within the first 5 days of each month; (3) Defendant shall notify the probation officer 10 days prior to any change in residence or employment; and (5) Defendant shall notify the probation officer within 72 hours of being arrested or questioned by law enforcement.

The Government alleges that Defendant violated the terms of his Supervised Release as follows: (1) Defendant failed to submit truthful and complete written monthly reports in April and May of 2006; (2) On June 29, 2005, the Plano Police Department issued the Defendant citations for Disregard of a Traffic Device, No Driver's License and No Insurance; (3) On July 22, 2005, the McKinney Police Department issued the Defendant a citation for Driving Without a Valid Driver's License; (4) On July 28, 2005, the Frisco Police Department issued the Defendant citations for Speeding and No Driver's License; (5) On July 30, 2005 the Dallas Police Department issued the Defendant citations for No Driver's License and No Insurance; (6) On October 24, 2005, the Parker Police Department issued the Defendant a citation for No Driver's License; (7) On November 29, 2005 the Parker Police Department issued the Defendant a citation for No Driver's License; (8) On February 3, 2006, the Frisco Police Department issued the Defendant citations for No Driver's License and No Insurance; (9) On June 1, 2006, the Richardson Police Department issued the Defendant a citation for Speeding; (10) Defendant failed to notify the probation officer 10 days prior to his move in October, 2005; (12) On April 4, 2006, the Defendant reported he was living with his girlfriend, who he was previously instructed not to live with, and he failed to inform the probation office of his new

address; and (13) Defendant failed to notify the probation officer within 72 hours that he was questioned by law enforcement while being issued citations on October 24 and November 29 2005, and June 1, 2006.

Prior to the Government putting on its case, the Defendant entered a plea of true to the above listed violations. At the hearing, the Court recommended that the Defendant's supervised release be revoked.

**RECOMMENDATION**

The Court recommends that the District Court revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that the Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of eight (8) months, with no supervised release to follow.

Signed this 25 day of August, 2006.

  
DON D. BUSH  
UNITED STATES MAGISTRATE JUDGE